FEDERAL REGISTER

VOLUME 13 NUMBER 9

Washington, Wednesday, January 14, 1948

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9922

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE CHICAGO, NORTH SHORE & MILWAUKEE RAILWAY COMPANY AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Chicago, North Shore & Milwaukee Railway Company, a carrier, and certain of its employees represented by the International Union of Amalgamated Association of Street Electric Railway and Motor Coach Employees of America, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the States of Illinois and Wisconsin to a degree such as to deprive those States of essential transportation service:

NOW THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160) I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Chicago, North Shore & Milwaukee Railway Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 13, 1948.

[F. R. Doc. 48-431; Filed, Jan. 13, 1948; 11:35 a. m.]

EXECUTIVE ORDER 9923

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE AKRON & BARBERTON BELT RAILROAD AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between The Akron & Barberton Belt Railroad, a carrier, and certain of its employees represented by the Brotherhood of Railroad Trainmen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the state of Ohio, to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160) I hereby create a board of three members, to be appointed by me, to investigate said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by The Akron & Barberton Belt Railroad or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 13, 1948.

[F. R. Doc. 48-432; Filed, Jan. 13, 1948; 11:35 a. m.]

EXECUTIVE ORDER 9924

DESIGNATING THE HONORABLE MARTIN TRAVIESO AS ACTING JUDGE OF THE DISTRICT COURT OF THE UNITED STATES FOR PUERTO RICO

NOTE: Executive Order No. 9924 was filed with the Division of the Federal Register as F. R. Doc. 48-430, on January 13, 1948, at 11:35 a. m.

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

TITLE 10—ARMY

Chapter I—Aid of Civil Authorities and Public Relations

PART 111—ASSISTANCE TO RELATIVES AND OTHERS IN CONNECTION WITH DECEASED PERSONNEL

MISCELLANEOUS AMENDMENTS

Section 111.4 (a) (12 F R. 4788) is revised and § 111.5 is added as follows:

§ 111.4 *Effects—(a) Disposition of effects.* Action will be taken in accordance with instructions contained in TM 10-285, as defined by 112th Article of War upon the death of any person subject to military law, as shown in the second article of war, who dies within the continental limits of the United States, excluding Alaska.

(1) Upon the death of any persons, subject to military law as defined by the 2d Article of War, who die or are reported as "missing persons" outside the continental limits of the United States, including Alaska, subsequent to January 1, 1948, disposition of their effects will be direct to the legal next of kin and not through the Army Effects Bureau.

* * * * *

§ 111.5 *Ownership of personal effects of deceased.* Communication to the legal next of kin advising of the shipment of personal effects will, at all times, convey the information that shipment of the property does not in any way vest title in the recipient, but that the property is forwarded in order that distribution may be made in accordance with the laws of the State of the decedent's legal residence.

[Pars. 26 *a* and 26.1, AR 600-550, June 23, 1947, as amended by C2, Dec. 26, 1947] (R. S. 161, 41 Stat. 809, 46 Stat. 1203; 5 U. S. C. 22, 10 U. S. C. 1584, 1584a)

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-406; Filed, Jan. 13, 1948; 8:47 a. m.]

Chapter V—Military Reservations and National Cemeteries

PART 504—ARMY EXCHANGES

SALE TO CIVILIANS

Subdivision (iv) is added to § 504.8 (a) (2) as follows:

§ 504.8 *Sales—(a) To whom made.*
* * *
(2) * * *

(iv) Civilian exchange employees subject to limitations imposed by the Chief, Army Exchange Service.

[Par. 13*a* (3) (*d*) AR 210-65 June 12, 1945, as amended by C8, Dec. 29, 1947] (R. S. 161, 5 U. S. C. 22)

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-371; Filed, Jan. 13, 1948; 8:46 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947

CORRECTION TO THE CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation[1] (§ 825.1) is corrected in the following respects:

1. Schedule B, item 12, incorporated into the regulation by Amendment 9, issued November 28, 1947, is corrected by substituting "R 5 E" for "R S E" and by substituting "R 6 E" for "R G E" each time the descriptive letters "R S E" and "R G E" appear in said item.

2. Schedule A, item 31, incorporated into the regulation by Amendment 9, issued November 28, 1947, is corrected by substituting "R 5 E" for "R S E" and by substituting "R 6 E" for "R G E" each time the descriptive letters "R S E" and "R G E" appear in said item.

These corrections shall become effective as of November 28, 1947.

Issued this 12th day of January 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-386; Filed, Jan. 12, 1948; 9:52 a. m.]

[1] 12 F. R. 4331, 5421, 5454, 5697, 6027, 6087, 6923, 7111, 7630, 7825, 7999, 8060; 13 F. R. 6, 62.

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947

CORRECTION TO THE RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments[1] (§ 825.5) is corrected in the following respects:

1. Schedule B, item 12, incorporated into the regulation by Amendment 9, issued November 28, 1947, is corrected by substituting "R 5 E" for "R S E" and by substituting "R 6 E" for "R G E" each time the descriptive letters "R S E" and "R G E" appear in said item.

2. Schedule A, item 31, incorporated into the regulation by Amendment 9, issued November 28, 1947, is corrected by substituting "R 5 E" for "R S E" and by substituting "R 6 E" for "R G E" each time the descriptive letters "R S E" and "R G E" appear in said item.

These corrections shall become effective as of November 28, 1947.

Issued this 12th day of January 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-385; Filed, Jan. 12, 1948; 9:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

MISCELLANEOUS AMENDMENTS

1. Paragraphs (a) and (b) of § 10.3423 (12 F. R. 7116) are amended to read as follows:

§ 10.3423 *Health requirements.* * * *

(a) On or before July 31, 1948, or within three months after lapse, whichever is later, provided the applicant be in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnishes evidence thereof satisfactory to the Administrator.

(b) Subsequent to July 31, 1948, and after expiration of the three-month period mentioned in paragraph (a) of this section, provided applicant is in good health (§ 10.3401) on the date of application and tender of premiums, and furnishes evidence thereof satisfactory to the Administrator of Veterans' Affairs. (Title VI, 54 Stat. 1008, as amended, 60 Stat. 781, 38 U. S. C. and Sup. Chap. 13)

2. In § 10.3498 (12 F. R. 7116) the ninth paragraph is amended to read as follows:

§ 10.3498 *Total Disability Income Provision for National Service Life Insurance Authorized by the National Service Life Insurance Act of 1940, As Amended August 1, 1946.* * * *

This provision, if attached to term insurance, may be reinstated, upon evidence satisfactory to the Administrator showing the applicant to be in as good health as he was on the due date of the premium in default-provided application and two monthly premiums are submitted on or before July 31, 1948, or within three months after the due date of the premium in default, whichever is later; if it be attached to insurance on any other plan reinstatement may be effected on the basis of comparative health provided application and all premiums in arrears with interest are submitted on or before July 31, 1948, or within three months after the due date of the premium in default, whichever is later.

* * * * *

(Title VI, 54 Stat. 1008, as amended, 60 Stat. 781, 38 U. S. C. and Sup. Chap. 13)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.

[F. R. Doc. 48-407; Filed, Jan. 13, 1948; 8:47 a. m.]

PART 25—MEDICAL

MISCELLANEOUS AMENDMENTS

1. Section 25.6030 is amended to read as follows:

§ 25.6030 *Refusal of treatment by unnecessarily breaking appointments.* A patient under out-patient medical or dental treatment who breaks an appointment, without a reasonable excuse for such action, will be informed that a repetition of the offense will be deemed to be a refusal of Government treatment. If such patient breaks a second appointment without at least 24 hours notice, or a reasonable excuse, it will be deemed that he has refused Government treatment. Thereafter no further treatment will be furnished until he has made a specific formal application therefor and has satisfactorily evinced a willingness to accept Government treatment and to cooperate with the Government agency providing the treatment, by keeping his appointments, or by giving at least 24 hours notice where an appointment must necessarily be broken. Where an appointment is broken without notice and satisfactory reasons are shown for the breaking of the appointment, and it is also satisfactorily shown that circumstances attending the breaking of the appointment were such that notice could not be given, the patient will not be deemed to have refused treatment. Nothing in this section will be construed to prevent a patient from receiving the benefit of treatment for an emergency condition that may arise during the time when he has been determined to be "Not entitled to treatment" as a result of refusal. (43 Stat. 622; 38 U. S. C. 493)

2. Section 25.6035 is hereby divided into paragraphs (a) and (b) and new material is added as paragraph (c).

§ 25.6035 *General authority for emergency hospital treatment.* (a) All potential beneficiaries having prima facie entitlement therefor, who are in need of emergency hospital treatment, may be provided therewith, and such emergency hospital treatment may, if necessary, be continued until a definite decision is reached as to the eligibility of the applicant for medical treatment. This authority for emergency hospitalization carries authority to supply Government transportation and necessary meals and lodging en route to the facility designated for the emergency admission.

(b) Emergency hospitalization may also be provided applicants who have not completed a prescribed period of exclusion from hospitalization, imposed because of infraction of facility discipline; but Government transportation (and necessary meals and lodging en route) will not be supplied these applicants, unless they execute affidavit that they are unable to defray the expense of travel to the facility designated.

(c) The provisions of paragraph (b) of this section are also applicable to a member of a State Soldiers Home, on whose behalf the said home is receiving federal aid payments, who is discharged therefrom for disciplinary reasons.

3. Section 25.6036 is amended to read as follows:

§ 25.6036 *Eligibility for medical treatment in foreign countries.* No person shall be entitled to receive domiciliary, medical or hospital care, including treatment, who resides outside of the continental limits of the United States or its territories or possessions, except that the chief medical director may authorize hospitalization, including medical treatment, determined necessary for diseases or injuries adjudicated as incurred in or aggravated by active military or naval service in a period of war, for applicants temporarily sojourning or temporarily residing in a foreign country, who are citizens of the United States. (Sec. 4, Public No. 866, 76th Congress) (54 Stat. 1195; 38 U. S. C., Chapter 12 (note))

4. In § 25.6045, paragraphs (d) and (e) are amended to read as follows:

§ 25.6045 *Persons entitled to hospital observation and physical examination.* Hospitalization for observation and physical (including mental) examination may be effected when requested by an authorized official, or when found necessary in physical examination of the following persons:

* * * * *

(d) Claimants or beneficiaries of other Federal agencies:

(1) Bureau of War Risk Litigation, Department of Justice—plaintiffs in Government insurance suits.

(2) United States Civil Service Commission—annuitants or applicants for retirement annuity, and such examinations of prospective appointees as may be requested.

(3) Bureau of Employees Compensation—to determine identity, severity or persistence of disability.

(4) Railroad Retirement Board—applicants for annuity under Public No. 162, 75th Congress.

(5) Other Federal agencies.

(e) Pensioners of nations allied with the United States in World War I and World War II, upon authorization from accredited officials of the respective governments.

[1] 12 F. R. 4302, 5423, 5457, 5699, 6027, 6686, 6923, 7111, 7630, 7825, 7998, 8660; 13 F. R. 6, 62.

5. In § 25.6046, the following paragraphs are amended as follows:

§ 25.6046 *Persons entitled to hospital treatment or domiciliary care.* * * *

(a) * * *

(1) Persons discharged or released from active military or naval service under other than dishonorable conditions.

(2) Persons retired from active military or naval service including members of the Fleet Naval Reserve or Marine Corps Reserve on retainer pay, who had served honorably during a war period (Public No. 198, 76th Congress, as amended by Public Law 365, 77th Congress)

* * * * *

(b) * * *

(1) Persons in active service with the United States Army (Public No. 177 and Public No. 852, 76th Congress) or United States Navy or Marine Corps (Public No. 675, 70th Congress) when duly referred with authorization therefor, may be supplied hospital treatment. Emergency treatment may be rendered such persons upon their own application, when absent from their commands: *Provided,* That covering formal authorization be procured as promptly as possible after the emergency treatment is begun.

(2) Hospital treatment may be provided, upon authorization, for beneficiaries of the Public Health Service, Bureau of Employees Compensation and other Federal Agencies.

(3) Pensioners of nations allied with the United States in World War I and World War II, may be supplied hospital treatment when duly authorized.

(c) * * *

(3) Employees (not potentially eligible as ex-members of the armed forces) and members of their families, when residing on reservations of field stations of the Veterans' Administration, and when they cannot feasibly obtain emergency treatment from private facilities.

(d) Persons comprehended under the provisions of paragraphs (b) and (c) of this section may be supplied hospitalization after the needs of emergency applicants under paragraph (a) of this section are fully met. Charges at prescribed rates will be made for the services rendered.

6. Section 25.6047 is amended as follows:

§ 25.6047 *Eligibility for hospital treatment or domiciliary care of persons discharged, released or retired from active military or naval service.* * * *

(a) Hospital treatment for:

(1) Persons who served in the active military or naval forces during the period of World War I as defined in §§ 35.101 and 35.104 of this chapter, as amended; or in any war prior to the Spanish-American War; or during the Spanish-American War, Philippine Insurrection or Boxer Rebellion from April 21, 1898 to July 4, 1902 (or to July 15, 1903, if the service was in Moro Province) or on or after December 7, 1941, and before twelve o'clock noon December 31, 1946, including those who had active duty as a member of the Women's Army Auxiliary Corps, Women's Army Corps, Women's Reserve of the Navy and Marine Corps and the Women's Reserve of the Coast Guard—when discharged under other than dishonorable conditions from a period of war service, and when suffering from an injury or disease incurred or aggravated in line of duty in that period of active military or naval service, and for which they are medically determined to be in need of hospital treatment.

(2) Persons retired from active military or naval service including members of the Fleet Naval Reserve or Marine Corps Reserve on retainer pay, who had honorable service in a period of war, as defined in paragraph (a) (1) of this section, and are medically determined to need hospital treatment for an injury or disease that was incurred in line of duty in active military or naval service (Public No. 198, 76th Congress; Public Law 365, 77th Congress)

* * * * *

(4) Persons included in Public Law 300, 78th Congress, who, on or after December 7, 1941 and before twelve o'clock noon December 31, 1946, suffered an injury or disease in line of duty for which they are receiving disability compensation and for which they are in need of hospital treatment.

(b) *Hospital treatment for:*

(1) Persons who were discharged or released under other than dishonorable conditions from active military or naval service for disability incurred or aggravated in line of duty or who are in receipt of compensation for service-connected or service aggravated disability, when suffering from injuries or diseases incurred or aggravated in line of duty in such active service, and for which they are medically determined to be in need of hospital treatment. Cadets and midshipmen discharged from the academies at West Point, New London, and Annapolis who meet these requirements as to character of discharge or receipt of compensation are eligible under this paragraph, regardless of the requirement as to active military or naval service. (See also section 10, Public Law 144, 78th Congress)

(i) For applicants not in receipt of compensation for service-connected or service aggravated disability, the official records of the Army or Navy, respectively, relative to findings of line of duty for its purposes, will be accepted in determining eligibility for hospital treatment under this paragraph (b) of this section; except that where the official records of the Army or Navy show a finding of disability not incurred or aggravated in line of duty and evidence is submitted to the Veterans' Administration which permits of a different finding, the decision of the Army or Navy will not be binding upon the Veterans' Administration, which will be free to make its own determination of line of duty incurrence or aggravation upon the evidence so submitted. It will be incumbent upon the applicant to present such controverting evidence and, until he so acts and a determination favorable to him is made by the Veterans' Administration, the finding of the Army or Navy will control and hospitalization will not be authorized. Such controverting evidence, when received from an applicant, will be referred to the adjudicating agency which would have jurisdiction if the applicant were filing claim for pension or disability compensation, and the determination of such agency as to line of duty, which is promptly to be communicated to the manager of the field station receiving the application for hospitalization, will govern his disapproval or approval of admission, other eligibility requirements having been met. Where the official records of the Army or Navy show that the disability on account of which a veteran was discharged or released from his peacetime service under other than dishonorable conditions was incurred or aggravated in line of duty, such showing will be accepted for the purpose of determining his eligibility for hospitalization, notwithstanding the fact that the Veterans' Administration has made a determination in connection with a claim for monetary benefits that the disability was incurred or aggravated not in line of duty. See also Public No. 648, 75th Congress, defining line of duty, whether on active duty or authorized leave, relative to applicants whose only military or naval service was in a period other than wartime.

(ii) When the applicant is in receipt of compensation for a service-connected or service aggravated disability, inquiry will not be made as to the character of discharge from service.

(iii) In those exceptional cases where the official records of the Army or Navy show discharge or release under other than dishonorable conditions because of expiration of period of enlistment or any other reason save disability, but also show a disability incurred or aggravated in line of duty during the said enlistment, and the disability so recorded is considered in medical judgment to be or to have been of such character, duration, and degree as to have justified a discharge for disability had the period of enlistment not expired or other reason for discharge or release been given, the chief medical director, upon consideration of a clear, full statement of the circumstances submitted to him is authorized to approve admission of the applicant for hospital treatment, provided other eligibility requirements are met. A typical case of this kind would be one where the applicant was under treatment for the said disability recorded during his service at the time discharge was given for reason other than disability.

(2) Persons retired from the Army of the United States under Public No. 18, 76th Congress, as amended by Public Law 262, 77th Congress, who had service only in a period other than wartime and who are suffering from a disease or injury incurred or aggravated in line of duty which is medically determined to require hospital treatment.

(3) Persons defined in § 25.6046 (a) (4) who are in need of hospital treatment for that disease or injury for which they are receiving disability compensation.

(4) Persons included in Public Law 300, 78th Congress, who on or after August 27, 1940, and prior to December

7, 1941, suffered an injury or disease in line of duty for which they are receiving disability compensation and for which they are in need of hospital treatment.

(c) Hospital care for:

(1) Persons who were discharged or released from active military or naval service under other than dishonorable conditions for disability incurred or aggravated in line of duty, or who are in receipt of compensation for service-connected or service aggravated disability, when suffering from non-service connected diseases or injuries requiring hospitalization. See also paragraph (b) (1), and subparagraphs (1) (i) (ii) and (iii) of this section which apply here, and to paragraph (b) (2) of this section.

* * * * *

(3) Retired personnel of the classes comprehended by paragraph (b) (2) of this section may be supplied hospital treatment in a hospital or center under the direct and exclusive jurisdiction of the Veterans' Administration, if beds are available, and such applicants agree to pay the per diem rate to cover subsistence, which is set by the Administrator of Veterans' Affairs.

(d) Hospital treatment or domiciliary care for:

(1) Persons who served in the active military or naval forces, including those who had active duty as a member of the Women's Army Auxiliary Corps, regardless of length of service, during a period of war as defined in paragraph (a) (1) of this section, who were (i) discharged or released from active duty under other than dishonorable conditions; (ii) who swear that they are unable to defray the expense of hospitalization or domiciliary care (including the expense of transportation to and from a Veterans' Administration facility) and (iii) who are suffering from a disability, disease or defect which, being susceptible of cure or decided improvement, indicates need for hospital care, or which, being essentially chronic in type and not susceptible of cure, or decided improvement by hospital care, is producing disablement of such degree and of such probable persistency as will incapacitate from earning a living for a prospective period, and thereby indicates need for domiciliary care. Except for applicants presenting emergent conditions, consideration in admissions under this subparagraph may be given to the length or character of service.

(2) Persons retired from active military or naval service including members of the Fleet Naval Reserve or Marine Corps Reserve on retainer pay, who had honorable service in a period of war, as defined in paragraph (a) (1) of this section, and who meet the other eligibility requirements of paragraph (d) (1) of this section (Public No. 198, 76th Congress; Public Law 365, 77th Congress).

* * * * *

7. In § 25.6048, paragraphs (a) and (b) are amended as follows:

§ 25.6048 *Definitions applicable in determining eligibility for hospital treatment or domiciliary care.* (a) Under paragraph (c) (2) of § 25.6047:

(1) A "permanent disability" will be taken to mean such impairment of mind or body as may reasonably be expected to continue throughout the remainder of the applicant's life, or any condition listed in § 2.1086 of this chapter. A permanent disability must be such as would materially interfere with the following of any substantially gainful occupation. This must be for medical determination, which shall not be influenced by the applicant's inability—due to industrial conditions, lack of personal initiative, or any other reason than disability due to disease or injury—to secure gainful employment. The infirmities resulting from advancing years when taken collectively, while not considered a disease entity, may be interpreted to be within the meaning of "disease" as used herein. A person who, at the time of his application for domiciliary care has been rated 75 percent or more disabled for pension or disability compensation purposes will be held to be prima facie incapacitated within the meaning of this subparagraph.

* * * * *

(b) Under paragraph (d) of § 25.6047:

* * * * *

(2) "Unable to defray expenses of hospitalization or domiciliary care (including transportation to and from a Veterans Administration facility)" The affidavit of the applicant on VA Form 10–P–10 that he is unable to defray the expenses of hospitalization or domiciliary care (including transportation to and from a Veterans' Administration facility) will constitute sufficient warrant to furnish hospitalization or domiciliary care (including Government transportation to cover transportation to the facility) But, having in mind the penal provisions of the law governing the making a false sworn statements, managers will report to central office any and all cases in which they suspect false statements as to inability to defray the expenses of hospitalization or domiciliary care (including transportation). Such reports will include all the facts, with comment and recommendation.

* * * * *

8. In § 25.6050, paragraphs (b) (c), (d) (f) (g) (h) and (i) are amended, and a new paragraph (j) is added:

§ 25.6050 *Utilization of facilities other than those under direct and exclusive jurisdiction of the Veterans' Administration.* * * *

(b) (1) Private facilities will not be used for hospitalization of beneficiaries except when facilities under direct and exclusive jurisdiction of the Veterans' Administration or other Government facilities under agreement are not feasibly available, or when the physical or mental condition of beneficiaries will not allow of their transfer thereto from a private, State or municipal hospital. Male beneficiaries in need of treatment of an emergent condition (i) arising from a service-connected disorder, or (ii) which in medical judgment requires treatment to prevent interruption of training authorized under Public Law 16, 78th Congress, may be authorized hospitalization in any private, State or municipal hospital, preferably one under contract. In such medically emergent cases authorization of admission to a private, State or municipal hospital may be given, subject to the conditions stipulated in paragraph (b) (2) of this section: and, when so given, will be authority for payment of vouchers covering the cost of such hospitalization. Hospitalization of male beneficiaries in a private, State or municipal hospital under contract may also be authorized for treatment of (i) a non-emergent service-connected condition; (ii) that condition determined as incurred or aggravated in line of duty in active Federal service and for which the applicant was discharged under conditions other than dishonorable, provided service connection for such disability has not been denied by the Veterans' Administration and (iii) a non-emergent non-service-connected condition which in medical judgment requires treatment to prevent interruption of training authorized under Public Law 16, 78th Congress, provided facilities under direct and exclusive jurisdiction of the Veterans' Administration or other Government facilities under agreement are not feasibly available.

(2) The chief medical officer or his designate, of the regional office or center having jurisdiction of the territory in which the concerned private, State, or municipal hospital, contract or non-contract, is located, when informed of the emergent condition of the entitled beneficiary in time to authorize the hospital admission or when requested to issue authorization to cover a hospital admission already affected, will at once notify the superintendent of such hospital as follows:

(i) That payment cannot be made by the Veterans' Administration for any hospital service or supplies furnished prior to the date that request for authorization for admission was made. (Except that where such request for authorization was dispatched to the Veterans' Administration within seventy-two hours after the date and hour of admission, the effective date of authorization will be the admission date. Otherwise the date of request for authorization will be the postmark date of a letter request, dispatch date of a telegraph request or the date a telephonic request is received.)

(ii) That if the hospital concerned is under contract with the Veterans' Administration, all services and supplies furnished the beneficiary must be charged for and paid only at rates in accordance with the terms of the contract.

(iii) That if the hospital concerned is not under contract, all services and supplies can be paid for only at rates considered reasonable and not in excess of those customarily charged the general public for similar services in the hospital where rendered.

(iv) That, when possible, prior authority will be requested by the hospital for the furnishing of services or supplies other than those included in a contract, or other than those comprehending ordinary items.

(v) But when the procurement of such prior authority is not possible, or when the emergent condition of the beneficiary is too urgent for delay, the hospital may furnish such necessary services or sup-

plies, with the understanding that charges therefor will be subject to determination as to their reasonable necessity by the chief medical officer or his designate. (See also §§ 25.6140–25.6148.)

(c) In the territories and insular possessions of the United States, preference will be given to Federal hospitals, and contracts will be made with private territorial or insular hospitals only when Federal hospitals are not available. Authorization of hospitalization in such territories and possessions is restricted to hospitals under agreements or contracts and admissions to private hospitals not under contract will not be authorized without prior approval of the chief medical director or his designate: *Provided;* That when immediate hospitalization is necessary for treatment of an emergent service-connected condition in a war veteran admission to a non-contract hospital may be authorized if no Federal or contract private hospital be feasibly available, and that the stipulations specified in paragraph (b) (2) of this section are communicated to the superintendent of such non-contract private hospital. While admission to private hospitals in the territories and insular possessions will in general be restricted to applicants who had service in a war, such hospitals may also be used for applicants who had peacetime service only, if needed for treatment of an emergent service-connected condition. The use of such private hospitals is prohibited for applicants who had peacetime service only, if required for treatment of a disease or injury not attributable to military or naval service, or for a service-connected condition that is not medically emergent.

(d) The general principles to be observed in utilization of facilities other than those over which the Veterans' Administration has direct and exclusive jurisdiction will be as follows: Other Government facilities under agreements or private facilities under contracts will be used for the hospitalization of beneficiaries requiring hospital treatment in accordance with the foregoing instructions, only when facilities under direct and exclusive jurisdiction of the Veterans' Administration are not feasibly available, or when the urgency of the applicant's medical condition, the relative distance of the travel involved, or the nature of the treatment required in the individual case, make it necessary or economically advisable to utilize such other institutions instead of a facility under direct and exclusive jurisdiction of the Veterans' Administration.

Except where prior approval of the chief medical director or his designate is required under the provisions of this paragraph, admissions to other Government, private, State, or municipal hospitals may be authorized by managers of regional offices and centers with regional office activities through chief medical officers or their designates.

* * * * *

(f) Managers of regional offices and centers with regional office activities through chief medical officers or their designates, are empowered to authorize admission to private hospitals, under contract, of women war veterans suffering from non-service-connected diseases or injuries, as well as service-connected conditions, in a medical emergency or otherwise: *Provided,* That a Government facility is not feasibly available; the condition of such beneficiary, if already so hospitalized, will not safely allow of her transfer to a Government facility; or the relative travel involved in admission to a Government facility, the medical condition existing, or the nature of the treatment required, make it advisable or economical to utilize the contract facility.

(g) Pregnancy and parturition will not entitle to hospitalization, either in facilities under direct and exclusive jurisdiction of the Veterans' Administration, or in other Government, private, municipal or State hospitals, unless complicated by a pathological condition.

(h) The prior approval of the chief medical director or his designate must be secured for the use of private, State or municipal facilities covered by contracts, and located either within the continental limits of the United States or in the insular possessions or territories, for the hospitalization in such facilities of beneficiaries in excess of the number of beds contracted for, except where immediate hospitalization is indicated for treatment of a medically emergent service-connected disease or injury. The number of beds set apart by agreements with other Government facilities, for treatment of Veterans' Administration beneficiaries may be exceeded during any month as necessitated with the consent of the commanding officer of the hospital concerned: *Provided,* That the utilization thereof be correspondingly reduced in other months, so that the average monthly use of such beds, at the end of the fiscal year, will not have exceeded the total allocation.

(i) An applicant whose eligibility for hospitalization (whether for observation or treatment, or whether for a service-connected or nonservice-connected condition) had been determined, whose admission to a Veterans' Administration facility had been authorized and who had been supplied transportation therefor, but who, while en route to the designated facility (or in route from it after completion of service and regular discharge, with transportation furnished to a designated point) develops an unavoidable and unforeseen medical emergency that forbids continuance of such travel and requires admission to a private hospital or treatment by a private physician, will be entitled to such necessary services at the expense of the Government, including any extra transportation costs (ambulance or otherwise) that were actually necessitated in the circumstances.

(1) If the chief medical officer or his designate of the territory concerned is informed of such emergency hospital admission or such physician's treatment before or shortly after the beginning of the services, authorization for the services, followed by payment of bills therefor, may be made in accordance with the terms of paragraph (b) (2) of this section.

(2) If the chief medical officer or his designate had not authorized such hospitalization or such physician's services, he may nevertheless certify for payment bills from the hospital superintendent or the attending physician, provided determination is made of the actual necessity for the items of service rendered, and payment is at fees considered reasonable and not in excess of those customarily charged the general public for similar services in the hospital where rendered.

(3) Subject to the same controlling conditions as in subparagraph (2) of this paragraph, the chief medical officer or his designate may authorize reimbursement of the beneficiary or his representative if either had paid bills submitted by the superintendent of the hospital or by the physician who had attended the beneficiary, and had submitted those receipted bills.

(j) Payment or reimbursement for emergency medical treatment and hospitalization through facilities other than Governmental as provided in paragraph (i) of this section, may be authorized where a veteran granted vocational rehabilitation pursuant to the provisions of Public Law 16, 78th Congress, is furnished transportation and ordered to report to a designated school, proceeds in accordance with said orders and becomes ill while en route, if there is no intervening factor for which he is responsible which would affect or change his status.

9. In § 25.6060, paragraphs (a) and (b) are amended, and paragraph (a) (9) is canceled.

§ 25.6060 *Out-patient treatment.* (a)
* * *

(1) Persons discharged or released from active military or naval service, including those who had active duty as a member of the Women's Army Auxiliary Corps and officers retired for disability under the provisions of the Emergency Officers Retirement Act (Public No. 500, 70th Congress, as amended) who served during a period of war as defined in § 25.6047 (a) (1) and who are in need of treatment for a disease or injury adjudicated by the Veterans' Administration as incurred or aggravated in such war service.

(2) Persons included in §§ 35.011 (c) and 35.012 (d) of this chapter (approved May 11, 1944) who are in need of treatment for an injury or disease incurred in line of duty and for which they are receiving disability compensation.

(3) Persons retired under the provisions of Public No. 18, 76th Congress, as amended by Public Law 262, 77th Congress, who are in need of treatment for a disease or injury determined as incurred or aggravated in line of duty in active service.

(4) Retired members of the Regular Establishment who have elected, under Public Law 314, 78th Congress, to receive compensation for a service-connected condition and who are in need of treatment for such condition.

(5) Persons who were discharged or released under other than dishonorable conditions from active military or naval service for disability incurred or aggravated in line of duty in active service or who are in receipt of compensation for service-connected or service-aggravated disability. A formal claim for disability

compensation will not be required of an applicant eligible for out-patient treatment by reason of discharge for disability incurred or aggravated in line of duty; and a denial of a claim for disability compensation will not debar outpatient treatment for such disability. (See determination of line of duty, § 25.6047 (b) (4) (i) and (iv).)

* * * * *

(7) Persons properly referred by authorized officials of other Federal agencies, for which the Administrator of Veterans' Affairs may agree to render such service under conditions stipulated by him, and pensioners of nations allied with the United States in World War I and World War II when duly authorized. Charges for treatment of patients of the classes specified herein will be at prescribed rates.

* * * * *

(Paragraph (9) canceled.)

(b) While out-patient treatment is primarily authorized only for service-connected or service-aggravated conditions, adjunct out-patient treatment for a nonservice-connected condition which is associated with and held to be aggravating disability from a disease or injury service connected or service aggravated may be also authorized in accordance with prescribed principles for persons defined in paragraphs (a) (1) to (5) inclusive, of this section. The opinion of the branch medical director may be requested in any individual case where advice as to the propriety of furnishing adjunct treatment is desired.

10. Section 25.6066 is divided into paragraphs (a) and (b) and new material is added as paragraph (c)

§ 25.6066 *Authority for disciplinary action.* (a) The good conduct of beneficiaries receiving hospitalization for observation and examination or for treatment, or receiving domiciliary care in facilities under direct and exclusive jurisdiction of the Veterans' Administration, will be maintained by corrective and disciplinary procedure formulated by the Veterans' Administration. Such corrective and disciplinary measures, to be selectively applied in keeping with the comparative gravity of the particular offense, will consist, in respect to hospital patients, of the withholding for a determined period of pass privileges, exclusion from entertainments, or disciplinary discharge; and, in respect to domiciled members, such penalties as confinement to barracks or grounds, deprivation of privileges, performance of extra duty without pay for a stated period, enforced furlough or dropping from rolls.

(b) Discharge for infraction of hospital discipline will carry the accompanying penalty of exclusion from rehospitalization except in a medical emergency, and from domiciliation, for a prescribed period, with denial of Government transportation to cover return travel upon such discharge or to cover rehospitalization in a medical emergency, unless the offender executes affidavit of inability to defray the expense of such travel. Likewise, exclusion from domiciliary care for a stated period will exclude an offender from hospital treatment (except in a medical emergency), for such stated period.

(c) The penalties prescribed in paragraph (b) of this section will be applicable to those persons receiving hospitalization in other Government or private facilities as beneficiaries of the Veterans' Administration and members of State soldiers' homes on whose behalf said home is receiving Federal aid payments, who are discharged therefrom for an offense similar in nature for which the Veterans' Administration would give an irregular discharge if such persons had been patients or members in a Veterans' Administration hospital or center.

(44 Stat. 826, 45 Stat. 947, 948, 46 Stat. 496, 48 Stat. 9, 301, 525, 49 Stat. 729; 38 U. S. C. and Sup. 612, 621, 622, 662, 664, 706, 707)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.

[F. R. Doc. 48-403; Filed, Jan. 13, 1948; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 67]

DETERMINATION AND CERTIFICATION OF CONDITION (SHRINKAGE OR CLEAN CONTENT) OF WOOL

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by the Agricultural Marketing Act of 1946 (60 Stat. 1087, 7 U. S. C. Supp. 1621) and the Department of Agriculture Appropriation Act, 1948 (Pub. Law 266, 80th Cong.) proposes to issue regulations governing the determination and certification of the condition (shrinkage or clean content) of wool as follows:

DEFINITIONS

ADMINISTRATION

WHERE SERVICES MAY BE OFFERED

SHRINKAGE DETERMINATION SERVICES

APPEAL SHRINKAGE OR CLEAN CONTENT DETERMINATION

CHARGES FOR SERVICE

MISCELLANEOUS

AUTHORITY: §§ 67.1 to 67.39, inclusive, issued under Title II, act of August 14, 1946, 60 Stat. 1037; 43 Stat. 844, as amended.

DEFINITIONS

§ 67.1 *Meaning of words.* Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 67.2 *Terms defined.* For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall be construed respectively to mean:

(a) *The acts.* The Agricultural Marketing Act of 1946 (Title II of the Act of Congress approved August 14, 1946, 60 Stat. 1087, 7 U. S. C. Supp. 1621) and the following provision of the Department of Agriculture Appropriation Act, 1948 (Public Law 266, 80th Congress) or a similar provision of any future Act of Congress conferring like authority:

For the investigations and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity, or de-

rivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered. * * *

(b) *Department.* The United States Department of Agriculture.

(c) *Secretary.* The Secretary of Agriculture, or any officer or employee of the Department to whom authority has heretofore lawfully been delegated, or to whom authority hereafter may lawfully be delegated, to act in his stead.

(d) *Administration.* The Production and Marketing Administration of the Department.

(e) *Administrator.* The Administrator of the Administration, or any officer or employee of the Administration to whom authority has heretofore lawfully been delegated, or to whom authority hereafter may lawfully be delegated, to act in his stead.

(f) *Wool Division.* The Wool Division of the Livestock Branch, of the Administration.

(g) *Supervisor of Sampling.* An official sampler or other qualified person designated by the Administrator to supervise sampling operations, specify methods of sampling to be used on various types of wools, maintain the necessary accuracy of operations carried on by Official Samplers within his jurisdiction, and act as a representative of the Department in its dealings with wool growers and handlers with respect to core sampling of wool.

(h) *Official Sampler* An employee of the Department authorized by the Administrator to take core samples of wool under the regulations in this part, in accordance with prescribed methods.

(i) *Person.* Any individual, association, partnership, other group of individuals, or corporation. This term includes, but is not limited to, Federal, State, county, and municipal governments, and common carriers.

(j) *Financially interested party.* Any person having a financial interest in the products involved, including, but not limited to, the shipper, receiver, or carrier, or any authorized person on behalf of such party.

(k) *Applicant.* A financially interested party who requests shrinkage or clean content determination service under the regulations in this part.

(l) *Regulations.* Rules and regulations of the Secretary under the acts.

(m) *Wool.* Domestic wool shorn from sheep or lambs or pulled from the pelts of sheep or lambs raised in the continental United States.

(1) *Shorn wool.* Wool removed from live sheep or lambs by means of hand or power shears.

(2) *Pulled wool.* Wool removed from the pelts of slaughtered sheep or lambs by means of lime, sweating, or a depilatory process.

(n) *Service.* The core sampling and laboratory testing and certification service authorized by the acts and established and conducted under the regulations in this part for the purpose of determining and certifying the shrinkage or the clean content of wool.

(o) *Core sampling.* A method of coring a bale or bag of wool to obtain a representative sample of the wool.

(p) *Shrinkage.* The loss in weight which occurs when foreign matter and impurities are removed from raw or greasy wool by cleaning.

(q) *Clean content.* The yield of clean scoured wool containing not more than 12% moisture, 1½% residual impurities, and ½% ash, obtained from a given quantity of greasy wool after allowance for shrinkage.

(r) *Shrinkage or clean content certificate.* A certificate issued by the Department under the regulations in this part showing lot numbers, total number of bags or bales in each lot, a description of the wool, place and date of sampling, the shrinkage or clean content of the sample, and other data.

(s) *Appeal determination.* A redetermination of the shrinkage or clean content of wool with respect to which an allegedly incorrect shrinkage or clean content certificate was previously issued.

(t) *Designated market.* Any shipping, receiving, handling, or distributing point designated by the Administrator as an important central market where wool is prepared, shipped, or distributed in interstate commerce in considerable quantities and where service may be offered.

ADMINISTRATION

§ 67.3 *Authority.* The Administrator is charged with the administration of the provisions of the regulations in this part and of the acts in so far as they relate to the subject matter of the regulations.

WHERE SERVICE MAY BE OFFERED

§ 67.4 *Designated markets and other locations.* Services in accordance with the regulations in this part may be offered at the discretion of the Administrator at designated markets and at other locations with activities similar to those of a designated market and readily accessible therefrom.

§ 67.5 *Request for establishment of service.* Requests for the establishment of service at designated markets or at other locations may be filed with the Administrator.

§ 67.6 *Withdrawal or denial of service for administrative reasons.* The Administrator may deny service to, or withdraw it from, any designated market or other location or applicant when he deems such action to be in the interest of the service. Published notice shall be given of the denial of service to or the withdrawal of service from any designated market or other location, and notice shall be given to the applicant of the denial or withdrawal of service to or from such applicant hereunder.

SHRINKAGE OR CLEAN CONTENT DETERMINATION SERVICE

§ 67.7 *Kind of service.* Determination of the shrinkage or clean content of wool shall be made by means of taking core samples from the original lots of raw or greasy wool for which a determination is requested and by a laboratory process determining the shrinkage or the clean content of such wool. After samples have been taken they shall be sent, by the Official Sampler, in a moisture proof bag or drum to a laboratory of the Wool Division, where the laboratory testing to determine the shrinkage or the clean content of the wool will be conducted. A report of the results of the laboratory testing will be sent to the Chief of the Wool Division for issuance of a shrinkage or clean content certificate as provided in § 67.19.

§ 67.8 *Who may obtain service.* Requests for service may be made by any financially interested party or his authorized agent.

§ 67.9 *How to obtain service.* An application for service may be filed in the office of the Supervisor of Sampling at a designated market or in the office of the Chief of the Wool Division. It may be made orally (including by telephone), in writing, by telegraph, or by other means of communication. If made orally (including by telephone), the request must be confirmed in writing or by telegraph stating the facts required by § 67.10.

§ 67.10 *Form of application for service.* Each formal application for service shall include such of the following information as may be required by the official with whom the application is filed, for the proper location and identification of the wool: (a) The date of application; (b) the description and location of the wool to be tested; (c) the name and post office address of the applicant and of the person, if other than the applicant, making the application in his behalf; and (d) the interest of the applicant in the wool (except in the case of an official of a governmental agency)

§ 67.11 *When the application for service deemed filed.* An application for service shall be deemed filed when delivered to the established office of a Supervisor of Sampling at any designated market or to the office of the Chief of the Wool Division. Records showing the date and time of filing shall be made and kept in the office in which the application is filed.

§ 67.12 *When application for service may be rejected.* Any application for service may be rejected, by the official with whom it is filed, for noncompliance by the applicant with the regulations in this part prescribing the conditions, such as accessibility of the wool, on which the service is made available, or for his use of abusive language to, act of violence directed toward, or other interference with, any employee performing duties under the regulations in this part with respect to the wool for which service is requested. Moreover, an application may be held in abeyance by the official if he has reason to believe that grounds exist for denial of the service under § 67.13. In either case, the official shall notify the applicant, and the Administrator through his immediate superior officer, of the action taken and the reasons therefor. Upon receipt of notice that an application is held in abeyance, the Administrator shall determine, and so notify the applicant and the official, whether the appli-

cation should be granted immediately or opportunity for hearing should be provided in order to determine whether the applicant should be debarred from the benefits of the acts as provided in § 67.13.

§ 67.13 *Cause for denial of service to applicants.* Any wilful misrepresentation or any deceptive or fraudulent practice made or committed by any person in connection with the execution or filing of an application or the use of a certificate, tag, or other marking provided under the regulations in this part; any fraudulent or unauthorized use, alteration, or imitation of any such certificate, tag, or marking; any interference with or obstruction of any employee of the Department in the performance of his duties under the regulations in this part, by intimidation, threats, assaults, or any other improper means; and any wilful violation of the regulations in this part may each be deemed sufficient cause for debarring the person found guilty thereof from any further benefits of the acts, after opportunity for a hearing has been accorded him, and pending investigation and hearing, the Administrator may, without hearing, direct that such person shall be denied the benefits of the acts.

§ 67.14 *When application for service may be withdrawn.* A request for service may be withdrawn by the applicant at any time before the service is performed, upon payment of any expenses already incurred by the Department in connection therewith.

§ 67.15 *Authority of agent.* Proof of the authority of any person applying for the service on behalf of another may be required at the discretion of the official with whom the application is filed.

§ 67.16 *Accessibility of wool.* The applicant shall cause the wool, on which service is requested, to be made easily accessible for sampling and to be so placed as to have adequate illuminating facilities.

§ 67.17 *Order of service.* Service shall be rendered in the order in which requests are received, except that precedence may be given first, to requests for appeal determinations, and second, to requests made by a branch of the Federal government, a State, a county, or a municipality. An exception to the order of rendering service may be made when it is in the interest of the Department in utilizing its employees efficiently.

§ 67.18 *Financial interest of samplers and other employees.* No official sampler, Supervisor of Sampling, or other employee of the Department shall render service on any wool in which he is directly or indirectly financially interested.

§ 67.19 *Certificates; issuance.* The Chief of the Wool Division, or any employee of the Department designated by him, shall prepare, sign and issue official certificates covering wool for which a shrinkage or clean content determination is made.

§ 67.20 *Certificates; form.* Each certificate issued under the regulations in this part shall include the following information: (a) Number of certificate; (b) date issued; (c) name and address of the applicant; (d) applicant's lot number; (e) place and date of sampling; (f) sampler's number; (g) number of bags in lot; (h) applicant's description of lot and weight; and (i) the shrinkage of the wool expressed in percentage or the clean content of wool expressed in pounds, as of the time of sampling.

§ 67.21 *Disposition of certificates.* The original certificate and not to exceed two copies thereof shall be delivered or mailed immediately to the applicant or a person designated by him. One copy shall be forwarded to the office of the Supervisor of Sampling and one copy filed in the office of the Chief of the Wool Division. Copies of certificates shall be kept on file until other disposition is ordered by the Administrator. Additional copies will be furnished to the applicant or other financially interested parties upon application and payment of fees as provided in § 67.33.

§ 67.22 *Advance information.* Upon request of an applicant and at his expense, all or any part of the contents of the certificate may be transmitted by telegraph or by telephone to him or to any person designated by him.

§ 67.23 *Identification of wool certified.* Each bag or bale of wool for which a shrinkage or clean content determination has been requested shall be marked with an appropriate number which shall subsequently be inserted as the sampler's number on the certificate issued with respect to such wool.

APPEAL SHRINKAGE OR CLEAN CONTENT DETERMINATION

§ 67.24 *When an appeal may be made.* A request for an appeal determination may be made by any financially interested party whenever he believes that the shrinkage or clean content determination stated in the applicable certificate is incorrect due to error in the core sampling, the laboratory testing, the reporting of the shrinkage or clean content determination, or the recording thereof on the applicable certificate.

§ 67.25 *How to obtain appeal determination.* Appeal determination may be obtained by filing a request for such service with the Administrator or the Supervisor of Sampling under whose supervision the original determination was made. The request for appeal determination shall state the reasons therefor and may be accompanied by a copy of any previous determination certificate or report or any other information which the applicant may have received regarding the wool at the time of the original determination. Such request may be made orally (including by telephone) in writing, by telegraph, or otherwise. If made orally, the official receiving the request may require that it be confirmed in writing supplying the data required by § 67.10. Requests for appeal determinations received by a Supervisor of Sampling shall be transmitted promptly through his immediate superior to the Administrator, for instructions.

§ 67.26 *When an appeal may be refused.* If it shall appear that the reasons stated in a request for an appeal determination are frivolous or unsubstantial, or that the quality or condition of the wool has undergone a material change since the original shrinkage or clean content determination, or that the identity of the wool has been lost, or that the wool cannot be made accessible for thorough sampling and testing, or that the regulations in this part have otherwise not been complied with, the request may be refused by the Administrator. A request for appeal service may also be denied by the Administrator as provided in § 67.13.

§ 67.27 *When an appeal may be withdrawn.* A request for appeal determination may be withdrawn by the applicant at any time before the requested appeal determination has been performed, upon payment of any expenses incurred by the Administration in connection therewith.

§ 67.28 *Order in which appeal determinations shall be made.* Appeal determinations shall be performed as far as practicable in the order in which requests are received. They shall take precedence over other pending requests for determinations as provided in § 67.17.

§ 67.29 *Appeal procedure.* Where it is alleged by the applicant for appeal determination that the core sampling of the wool involved was improperly done, or where the original shrinkage or clean content determination is generally alleged to be incorrect, new core samples of the wool shall be taken by Official Samplers who shall be designated by the Administrator and who shall not be the samplers who took the original samples. New core samples may be so taken in other cases if the official with whom the appeal request was filed deems such action advisable. Laboratory testing on appeal of either the original or new samples or both, in the discretion of the Administrator, and preparation of new reports of shrinkage based thereon shall be conducted when error is alleged in the original testing, or reporting, or when the original shrinkage or clean content determination is generally alleged to be incorrect, or in other cases when ordered by the Administrator, and such tests and reports shall be made by employees who shall be designated by the Administrator and who shall not be the employees who performed such activities in the original determination. Where practicable, two employees shall be designated jointly to sample or test or prepare reports on the wool on appeal as the case may be. Where the applicant on appeal alleges error in the recordation on the original certificate of the shrinkage or clean content shown on the original report, or where the original shrinkage or clean content determination is generally alleged to be incorrect, the Administrator shall determine, in person, or by a delegatee other than the official who issued the original certificate, whether such error was made. Such determinations may be made also in other cases in the discretion of the Administrator.

§ 67.30 *Appeal determination certificates.* Immediately after an appeal determination has been made, a certificate

marked as "appeal shrinkage (or clean content) determination" shall be prepared, signed, and issued referring specifically to the original certificate and showing the percentage of shrinkage or pounds of clean content as shown on the appeal. In all other respects, the provisions of § 67.7 through § 67.23 shall apply to such appeal determination except that, if the applicant for appeal is not the original applicant, a copy of the appeal determination certificate shall be mailed to the original applicant.

§ 67.31 *Superseded certificates.* When an original shrinkage or clean content determination certificate shall have been superseded by an appeal determination certificate, the original certificate shall become null and void and shall not thereafter represent the shrinkage or clean content determination of the wool described therein. If the original and all copies of the superseded certificate are not delivered to the person with whom the application for appeal is filed, the officer issuing the appeal determination certificate shall forward notice of such issuance and of the cancellation of the original certificate to such persons as he considers necessary to prevent fraudulent use of the cancelled certificate.

§ 67.32 *When request for redetermination of shrinkage or clean content is not an appeal.* Shrinkage or clean content redeterminations requested to determine the shrinkage or clean content of wool on which a previous determination has been made and which may have undergone material change since the original determination was made, and shrinkage or clean content redeterminations requested for the purpose of obtaining an up-to-date certificate, and not involving in either case any question as to the correctness of the original certificate covering the wool involved shall not be considered appeal determinations within the meaning of § 67.24 through § 67.31.

CHARGES FOR SERVICE

§ 67.33 *Fees.* A charge shall be made and collected in the form of fees for service rendered, at rates established herein to cover as nearly as may be the cost of maintaining the service.

(a) *Fees for shrinkage or clean content determination.* The following fees shall be charged for shrinkage or clean content determinations, depending on the size of the lot of wool being tested:

Lots of:	*Charge per lot*
1–50 bags	$35.00
51–150 bags	45.00
151–200 bags	50.00
201–300 bags	55.00
301–and over	60.00

These charges do not include the expense incident to making the wool available for core sampling or replacing the wool in the warehouse after the core sample has been obtained, which expense must be borne by the applicant. In arriving at these costs, allowance has been made for some monetary return to the administration through sale or other disposition of the samples after they have been tested and, therefore, no residual wool from core samples will be returned to the owner after testing.

(b) *Fees for appeal determination.* The charges for appeal determination shall be those set out in paragraph (a) of this section if the determination on appeal conforms with the original determination, within the range of tolerance established by the Administrator. If the original determination is found upon appeal to be in error no charge will be made for the appeal determination.

(c) *Fees for extra copies of shrinkage or clean content certificates.* Upon payment of a fee of $1.00 any financially interested party may obtain not to exceed three copies of a shrinkage or clean content certificate in addition to the copies issued in accordance with § 67.21.

§ 67.34 *How fees shall be paid.* Fees shall be paid by the applicant in accordance with directions on the fee bill furnished him, and in advance if required by the Official Sampler.

§ 67.35 *Disposition of fees.* Fees due for service rendered shall be remitted by the applicant to the Administration by check, draft, or money order made payable to the Treasurer of the United States.

MISCELLANEOUS

§ 67.36 *Misconduct by Official Samplers or other employees.* Any Official Sampler or other employee of the Department who shall be a party to any fraud, deception, wilful improper sampling or testing, disclosure of test results or related information to unauthorized persons, or other misconduct in the course of shrinkage or clean content determination under the regulations in this part, or who shall conceal knowledge thereof, shall at the discretion of the Secretary be dismissed from the Department with prejudice or disciplined according to the gravity of his offense.

§ 67.37 *Identification of employees.* All Supervisors of Sampling and Official Samplers shall have in their possession at all times Administration identification cards, and shall identify themselves by such cards upon request.

§ 67.38 *Duty of employees to report errors in shrinkage or clean content determination.* When an Official Sampler, Supervisor of Sampling, or other responsible employee of the Administration has evidence of error in any shrinkage or clean content determination, or of incorrect identification of a lot of wool, or of incorrect certification of a lot of wool, he shall report such evidence to the Administrator through his immediate superior officer and to the party having possession of the product. The Administrator shall take such action as he may deem necessary to correct the error.

§ 67.39 *Political activity.* All Official Samplers, Supervisors of Sampling, and other employees of the Department performing duties under the regulations in this part are forbidden during the period of such employment to take an active part in political management or in political campaigns. Political activity in city, county, State, or national elections, whether primary or regular in behalf of, or opposition to, any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including temporary employees and employees on leave of absence, with or without pay. Wilful violations of this section will constitute grounds for dismissal.

Any person who wishes to submit written data or arguments concerning these proposed regulations may do so by filing them with the Administrator of the Production and Marketing Administration, United States Department of Agriculture, within two weeks after the date of publication of this notice in the FEDERAL REGISTER.

Witness my hand and the seal of the United States Department of Agriculture.

Done at Washington, D. C., this 8th day of January 1948.

[SEAL] CLINTON P ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-368; Filed, Jan. 13, 1948; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 2102182]

ARIZONA

CLASSIFICATION ORDER

JANUARY 2, 1948.

1. Pursuant to the authority delegated to me by the Secretary of the Interior (43 CFR 4.275 (b) (3), Order No. 2325, May 24, 1947, 12 F. R. 3566), I hereby classify under the act of June 1, 1938 (52 Stat. 609) as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a) for leasing, as hereinafter indicated, the following-described public lands in the Phoenix, Arizona, land district embracing 151.03 acres:

SMALL TRACT CLASSIFICATION NO. 133; ARIZONA NO. 11

For all of the purposes mentioned in the act except business.

GILA AND SALT RIVER MERIDIAN

T. 4 N., R. 2 E.,
Sec. 7, SE¼SW¼.
Sec. 18, lot 1, NW¼NE¼, NE¼NW¼.

2. These lands are located about 15 miles northwest of Phoenix, in the vicinity of Black Canyon Highway. The lands average about 1,500 feet above sea level, and are level in character. In general, an adequate supply of potable water for domestic purposes can be obtained from wells. The City of Phoenix offers many facilities from which the residents of this area may benefit. School bus service is provided for children in this vicinity.

3. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR, Part 257,

Circular 1647 of May 27, 1947 and Circular 1665 of November 19, 1947) a preference right to lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 8:30 a. m. on April 26, 1946 and (b) are for the type of site for which the land has been classified and the area is made to conform to that mentioned in paragraph 2, irrespective of whether the long dimensions run north and south or east and west. As to such applications, this order shall become effective upon the date on which it is signed.

4. As to the land not covered by the applications referred to in paragraph 6, this order shall not become effective to permit the leasing of such land under the small tract act of June 1, 1938, cited above, until 10:00 a. m. on March 5, 1948. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location or selection as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m. on March 5, 1948 to the close of business on June 4, 1948, inclusive, to (1) application under the small tract act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283) subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on or after 8:30 a. m. on April 26, 1946, together with those presented at 10:00 a. m. on March 5, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on June 5, 1948, any of the land remaining unappropriated shall become subject to application under the small tract act by the public generally.

(d) *Advance period for simultaneous non-preference-right filings.* Applications under the small tract act by the general public filed on or after 8:30 a. m. on April 26, 1946, together with those presented at 10:00 a. m. on June 5, 1948, shall be treated as simultaneously filed.

5. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications for the lands referred to in paragraphs 3 and 4, which shall be filed in the District Land Office at Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254) to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessee under the small tract act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which under the circumstances are presentable, substantial, and appropriate for the use for which the lease is issued. Leases will be for a period of five years, at an annual rental of $5, payable for the entire lease period, in advance of the issuance of the lease.

8. The lands will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions extending north and south. The tracts, except as provided in paragraph 9, should conform in description to the rectangular system of surveys as one complete unit, viz, as the E½ or the W½ of a quarter-quarter-quarter section.

9. Preference-right leases referred to in paragraph 4 will be issued for the land described in the application, irrespective of the direction of the tract, provided the tract conforms or is made to conform to the area and dimensions specified above.

10. Where any 5-acre tract is in a 10-acre subdivision embraced in a preference-right application, the Acting Manager of the District Land Office is authorized to accept applications for the remaining 5-acre tracts extending in the same direction so as to fill out the subdivision (notwithstanding the direction of the tract may be contrary to that specified above)

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Phoenix, Arizona.

FRED W. JOHNSON,
Director.

[F. R. Doc. 48-378; Filed, Jan. 13, 1948; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8083, 8084]

CAPITOL BROADCASTING CO. AND WSWZ, INC.

ORDER CONTINUING HEARING

In re applications of Capitol Broadcasting Company, Trenton, New Jersey, Docket No. 8083, File No. BP-4832; WSWZ, Incorporated, Trenton, New Jersey, Docket No. 8084, File No. BP-5590; for construction permits.

The Commission having under consideration a petition filed December 29, 1947, by Capitol Broadcasting Company, Trenton, New Jersey, and WSWZ, Incorporated, Trenton, New Jersey, requesting continuance to January 23, 1948, of the consolidated hearing on the above-entitled applications for construction permits;

It is ordered, This 2d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, January 23, 1948.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-376; Filed, Jan. 13, 1948; 8:46 a. m.]

[Docket Nos. 8179, 8180]

BLACKHAWK BROADCASTING CO. AND WTAX, INC.

ORDER CONTINUING HEARINGS

In re applications of Blackhawk Broadcasting Company, Sterling, Illinois, Docket No. 8179, File No. BP-5409; WTAX, Inc. (WTAX) Springfield, Illinois, Docket No. 8180, File No. BP-5588; for construction permits.

The Commission having under consideration a joint petition filed December 26, 1947, by Blackhawk Broadcasting Company, Sterling, Illinois, and WTAX, Inc. (WTAX) Springfield, Illinois, requesting a continuance to January 26, 1948, of the consolidated hearing now scheduled on the above-entitled applications for construction permits now scheduled to be heard on January 5 and 6, 1948, at Sterling and Springfield, Illinois, respectively

It appearing, that the public interest, convenience and necessity would be served by continuing the said hearing to January 28, 1948, and by changing the place of hearing from Sterling and Springfield, Illinois, to Washington, D. C.,

It is ordered, This 2d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Wednesday, January 28, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-375; Filed, Jan. 13, 1948; 8:46 a. m.]

[Docket Nos. 8189, 8190]

PLEASANT VALLEY BROADCASTING CO. AND VALVERDE BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Eva Miller Grimes, d/b as Pleasant Valley Broadcasting Company, Oxnard, California, Docket No. 8189, File No. BP-5646; Valverde Broadcasting Company, Oxnard, California, Docket No. 8190, File No. BP-5835; for construction permit.

The Commission having under consideration a petition filed December 24, 1947, by Eva Miller Grimes, d/b as Pleasant Valley Broadcasting Company, Oxnard, California, requesting an approximately two week continuance of the hearing now scheduled for January 15, 1948, at Oxnard, California, on the above-entitled applications for construction permits;

It is ordered, This 2d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Friday, February 6, 1948, at Oxnard, California.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-374; Filed, Jan. 13, 1948; 8:46 a. m.]

[Docket No. 8388]

MODEL CITY BROADCASTING CO., INC.

ORDER CONTINUING HEARINGS

In re application of Model City Broadcasting Company, Inc., Anniston, Alabama, Docket No. 8388; File No. BP-5250; for construction permit.

The Commission having under consideration a petition filed November 22, 1947, by Model City Broadcasting Company, Inc., Anniston, Alabama, requesting a 30-day continuance of the hearing on its above-entitled application now scheduled for January 14, 1948, at Washington, D. C.,

It is ordered, This 2d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, February 13, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-373; Filed, Jan. 13, 1948; 8:46 a. m.]

[Docket No. 8480]

SALT RIVER VALLEY BROADCASTING CO. (KOY)

ORDER CONTINUING HEARING

In re applications of Salt River Valley Broadcasting Company (KOY) Phoenix, Arizona, Docket No. 8480, File No. BP-5733; for construction permit.

The Commission having under consideration a petition filed December 26, 1947, by Salt River Valley Broadcasting Company (KOY) Phoenix, Arizona, requesting a 20-day continuance of the hearing on its above-entitled application for construction permit now scheduled for January 8, 1948, at Washington, D. C.,

It is ordered, This 2d day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00, Tuesday, January 27, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-372; Filed, Jan. 13, 1948; 8:46 a. m.]

RCA COMMUNICATIONS, INC., ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at ten o'clock a. m., January 14, 1948, the Commission will hear oral argument in Room 6121 on the following matters in the order indicated.

1st Argument

Docket No. 7555—RCA Communications, Inc., and Mutual Telephone Company.

2d Argument

Docket No. 7345—Skyland Broadcasting Corp., File No. B2-P-3748 Dayton, Ohio.

Docket No. 7515—Community Broadcasting Co., File No. B2-P-4672 Toledo, Ohio.

3d Argument

Docket No. 6888—Cedar Rapids Broadcasting Corp. Inc., File No. B4-P-3970 Cedar Rapids, Iowa.

Docket No. 6889—Radio Corporation of Cedar Rapids, File No. B4-P-4144 Cedar Rapids, Iowa.

Docket No. 6891—Moline Dispatch Publishing Co., File No. B4-P-4143 Moline, Illinois.

Dated: January 2, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-377; Filed, Jan. 13, 1948; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-200, G-207]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

NOTICE OF OPINION AND ORDER DENYING PETITIONS FOR REHEARING AND FOR STAY OF COMMISSION'S ORDER OF NOVEMBER 25, 1947, ESTABLISHING EMERGENCY SERVICE RULES AND REGULATIONS FOR NATURAL GAS SERVICE BY PANHANDLE EASTERN PIPE LINE COMPANY

JANUARY 9, 1948.

City of Detroit, Michigan, and County of Wayne, Michigan v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-200; in the matter of Panhandle Eastern Pipe Line Company, Michigan Gas Transmission Corporation and Illinois Natural Gas Company, Docket No. G-207.

Notice is hereby given that, on January 8, 1948, the Federal Power Commission issued its Opinion No. 161-A and order entered January 8, 1948, in the above entitled matters, denying petitions for rehearing and for stay of the Commission's order of November 25, 1947.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 48-370; Filed, Jan. 13, 1948; 8:46 a. m.]

[Docket No. G-796]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 8, 1948.

Notice is hereby given that, on January 8, 1948, the Federal Power Commission issued its findings and order entered January 7, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 48-359; Filed, Jan. 13, 1948; 8:45 a. m.]

[Docket Nos. G-971-G-974]

HUMBLE OIL & REFINING CO.

NOTICE OF FINDING UPON APPLICATION FOR STATUS DETERMINATION

JANUARY 8, 1948.

Notice is hereby given that, on January 8, 1948, the Federal Power Commission issued its finding entered January 6, 1948, upon application for status determination, that the Humble Oil & Refining Company will not be a "natural gas company" within the meaning of the Natural Gas Act in the above-designated matters.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 48-360; Filed, Jan. 13, 1948; 8:45 a. m.]

[Project No. 1925]

FRESNO IRRIGATION DISTRICT

ORDER POSTPONING HEARING

JANUARY 8, 1948.

(1) By its order issued December 18, 1947, the Commission fixed a public hearing to be held in Fresno, California, commencing on January 26, 1948, on the application filed February 2, 1945, by Fresno Irrigation District for preliminary permit under the Federal Power Act for a proposed hydroelectric development (Project No. 1925) to be located on North Fork and main channel of Kings River in Fresno County, California, affecting lands of the United States within the Sierra and Sequoia National Forests and public lands of the United States outside National Forest boundaries.

(2) Fresno Irrigation District has requested that the hearing be postponed for at least 60 days to allow the District additional time to prepare for hearing.

The Commission orders that: The hearing set for January 26, 1948, in the above-entitled matter is hereby postponed to a time and place to be hereafter fixed by the Commission.

Date of issuance: January 9, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 48-369; Filed, Jan. 13, 1948; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. 6 to Corr. Special Directive 1]

PENNSYLVANIA RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 1 (12 F. R. 8280, 8389) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 1, be, and it is hereby amended by adding to Appendix A of Amendment No. 5 the following:

Mine:	Cars Per Day
Bruns	10
Sherman	3
Ella	2

A copy of this amendment shall be served upon The Pennsylvania Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-363; Filed, Jan. 13, 1948; 8:46 a. m.]

[S. O. 790, Amdt. 3 to Special Directive 5]

PITTSBURG & SHAWMUT RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 5 (12 F. R. 7952) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 5, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof.

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Wayne	4	
Fairview		2
Seneca and various	10	

A copy of this amendment shall be served upon The Pittsburg & Shawmut Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-364; Filed, Jan. 13, 1948; 8:46 a. m.]

[S. O. 790, Amdt. 5 to Special Directive 7]

MONTOUR RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 7 (12 F. R. 8281, 8874) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 7, be, and it is hereby amended by substituting paragraph 1 hereof for paragraph 1 thereof.

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Grant 2 (Boggs-Sunnyhill)		2
Imperial (Sunnyhill)	4	
Irma (Sherrys Dock-Imperi)	3	
Rider 3 and 4 (Aloe)	9	
Ruth	4	

A copy of this amendment shall be served upon The Montour Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-365; Filed, Jan. 13, 1948; 8:46 a. m.]

[S. O. 790, Special Directive 18A]

BALTIMORE & OHIO RAILROAD CO. TO FURNISH CARS TO RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 18 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., January 7, 1948.

A copy of this special directive shall be served upon The Baltimore & Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-366; Filed, Jan. 13, 1948; 8:46 a. m.]

[S. O. 790, Special Directive 19A]

WHEELING AND LAKE ERIE RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 19 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., January 7, 1948.

A copy of this special directive shall be served upon The Wheeling and Lake Erie Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-367; Filed, Jan. 13, 1948; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1711]

CONSUMERS GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 7th day of January 1948.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Consumers Gas Company ("Consumers") a subsidiary of The United Gas Improvement Company, a registered holding company. The applicant has designated section 10 of the act as applicable to the proposed transaction.

Notice is further given that any interested persons may, not later than January 21, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 2d Street, NW., Washington 25, D. C. At any time after January 21, 1948, said application, as filed or as

amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Consumers proposes to purchase from non-affiliated interests, from time to time within one year from date of Commission's order, not in excess of 400 additional shares of capital stock of Reading Gas Company at prices which will yield a favorable return on the funds so invested as contrasted with other available investments, subject, however, to the condition that no funds of Consumers other than those comprising the special fund established by the Board of Directors on October 25, 1934, together with the accretions to such fund by way of interest and dividends received on the investments therein, be used to purchase shares of Reading Gas Company capital stock except upon further application to the Commission. All of the property and franchises of Reading Gas Company are leased by Consumers for a term of 99 years from November 1, 1885. At the expiration of the lease, Consumers, at its option, may purchase the property and franchises for the sum of $600,000 in cash. By resolution of the Board of Directors on October 25, 1934, the establishment of a special fund was authorized to provide for the exercise by applicant on November 1, 1984 of the option to purchase the property and franchises of the Reading Gas Company. As of November 30, 1947 Consumers carried as an investment in said reserve fund 2,228 shares of capital stock of the Reading Gas Company, 12,000 shares of such capital stock being outstanding. The 400 shares to be acquired under the present application are in addition to the acquisition of 800 shares applied for in an application granted by the Commission by order dated July 2, 1943 and as extended by subsequent orders, the last of said orders being dated July 1, 1947.

It is requested that the Commission's order granting the application be issued on or before January 22, 1948 and that it shall be effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-361; Filed, Jan. 13, 1948; 8:45 a. m.]

[File No. 70-1663]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING AND PERMITTING APPLICATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 7th day of January A. D. 1948.

The Commission, on December 26, 1947, issued its findings and opinion and order granting, subject to certain conditions, an application, as amended, filed pursuant to the Public Utility Holding Company Act of 1935 by Central Illinois Public Service Company ("Cips") a subsidiary of The Middle West Corporation, a registered holding company, regarding the issue and sale, at competitive bidding pursuant to Rule U-50, of $10,000,000 principal amount of its First Mortgage Bonds, Series B, ____ %, due September 1, 1977 (see Holding Company Act Release No. 7954)

The terms of said order of December 26, 1947 provided, among other things, that the proposed issue and sale of bonds shall not be consummated until the results of the competitive bidding have been made a matter of record in these proceedings and a further order entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate and that Cips obtain an order from the Illinois Commerce Commission approving the interest rate of such bonds and the minimum price at which they will be sold.

Cips has now filed an amendment which states that, in accordance with the permission granted by said order of December 26, 1947, it offered said bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received bids as follows:

Bidders	Interest rate	Price to Cips (percent of principal amount)[1]	Annual cost to Cips
	Percent		*Percent*
Halsey, Stuart & Co., Inc..	3⅜	101.705	3.285
The First Boston Corp.....	3⅜	101.584	3.292
Salomon Bros. & Hutzler...	3⅜	101.562	3.293
Lehman Bros.....	3⅜	101.5172	3.295
Kuhn, Loeb & Co.....	3⅜	101.32	3.305
Glore, Forgan & Co.....	3⅜	100.783	3.334
Blyth & Co., Inc.....	3⅜	100.56	3.345

[1] Plus accrued interest from Sept. 1, 1947.

Such amendment further states that Cips has accepted the bid of Halsey, Stuart & Co., Inc., as set out above, and that said bonds will be initially offered for sale to the public at a price of 102.365% of the principal amount thereof, plus accrued interest, resulting in an underwriting spread of .66% of the principal amount of said bonds.

Such amendment contains a copy of an order of the Illinois Commerce Commission approving the interest rate of such bonds and the minimum price at which they will be sold.

The Commission having examined said amendment and having considered the record relevant thereto and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the interest rate thereon and the proposed underwriting spread:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding under Rule U-50 be, and hereby is, released, and that said application, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-362; Filed, Jan. 13, 1948; 8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925, 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10280]

JOHN LEHMAN

In re: Estate of John Lehman, deceased. File D-28-9757; E. T. sec. 13686.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Lehman, Freda (Frieda) Muller nee Lehman, Rosa Schwartz nee Lehman and Rosa Lehman, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of John Lehman, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by Joseph H. Woeste, as Executor, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-347; Filed, Jan. 12, 1948; 8:45 a. m.]

[Vesting Order 10306]

CARL MICHELAU ET AL.

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Carl Michelau, deceased, and others, and debt owed to the personal representatives, heirs, next of kin, legatees and distributees of Dr. E. Baelz, deceased. F-28-4053-D-1, F-28-4028-A-1, D-1, F-28-28269-D-1, F-28-1739-D-1, F-39-188-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Carl Michelau, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees of Eduard Mothes, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)

3. That the personal representatives, heirs, next of kin, legatees and distributees of Dr. E. Baelz, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)

4. That the personal representatives, heirs, next of kin, legatees and distributees of A. Zickermann, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)

5. That the personal representatives, heirs, next of kin, legatees and distributees of Ahfai, deceased, who there is reasonable cause to believe are residents of Japan are nationals of a designated enemy country (Japan)

6. That the property described as follows: One thousand (1,000) shares of capital stock of the Oriental Consolidated Mining Company, now in Liquidation, c/o City Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, evidenced by certificates registered in the name of Carl Michelau, deceased, said certificates numbered and in the amounts as shown below:

Certificate No..	Amount	Certificate No..	Amount
26383	100	39055	50
26384	100	39056	50
26385	100	39057	50
26386	100	39058	50
26387	100	39059	50
39052	50	39060	50
39053	50	39061	50
39054	50		

together with any and all declared and unpaid dividends thereon, and the right to receive dividends represented by outstanding checks and all liquidating dividends declared after the aforesaid company entered upon liquidation, including particularly the First, Second and Final Liquidation Distributions,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Carl Michelau, deceased, the aforesaid nationals of a designated enemy country (Germany),

7. That the property described as follows: Two hundred (200) shares of capital stock of the Oriental Consolidated Mining Company, now in Liquidation, c/o City Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, evidenced by certificates registered in the name of Eduard Mothes, deceased, said certificates numbered and in the amounts shown below:

Certificate No..	Amount	Certificate No..	Amount
35452	50	35996	50
35453	50	35997	50

together with any and all declared and unpaid dividends thereon, and the right to receive dividends represented by outstanding checks and all liquidating dividends declared after the aforesaid company entered upon liquidation, including particularly the First, Second and Final Liquidation Distributions,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Eduard Mothes, deceased, the aforesaid nationals of a designated enemy country (Germany),

8. That the property described as follows: Three thousand, eight hundred (3,800) shares of capital stock of the Oriental Consolidated Mining Company, now in Liquidation, c/o City Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, evidenced by certificates registered in the name of A. Zickermann, deceased, said certificates numbered and in the amounts shown below:

Certificate No..	Amount	Certificate No..	Amount
16734	10	27976	10
16735	10	27977	10
16736	10	27978	10
16737	10	27979	10
27946	10	27980	10
27947	10	27981	10
29748	10	27982	10
27949	10	27983	10
27950	10	27984	10
27951	10	27985	10
27952	10	27986	10
27953	10	27987	10
27954	10	27988	10
27955	10	27989	10
27956	10	27990	10
27957	10	27991	10
27958	10	27992	10
27959	10	27993	10
27960	10	27994	10
27961	10	27995	10
27962	10	27996	10
27963	10	27997	10
27964	10	27998	10
27965	10	27999	10
27966	10	28000	10
27967	10	28001	10
27968	10	28002	10
27969	10	28003	10
27970	10	28004	10
27971	10	28005	10
27972	10	28006	10
27973	10	28007	10
27974	10	28008	10
27975	10	28009	10
27976	10	28010	10
27977	10	28011	10
27978	10	28012	10
27979	10	28013	10
27980	10	28014	10
27981	10	28015	10
27982	10	28016	10
27983	10	28017	10
27984	10	28018	10
27985	10	28019	10
27986	10	28020	10
27987	10	28021	10
27988	10	28022	10
27989	10	28023	10
27990	10	28024	10
27991	10	28025	10
27992	10	28026	10
27993	10	28027	10
27994	10	28028	10
27995	10	28029	10
27996	10	28030	10
27997	10	28031	10
27998	10	28032	10
27999	10	28033	10
28000	10	28034	10
28001	10	28035	10
28002	10	28036	10
28003	10	28037	10
28004	10	28038	10
28005	10	28039	10
28006	10	28040	10
28007	10	28041	10
28008	10	28042	10
28009	10	28043	10
28010	10	28044	10
28011	10	28045	10
28012	10	38803	50
28013	10	38809	50
28014	10	51010	500
28015	10	51011	500
28016	10	51587	100
28017	10	51588	200
28018	10	51589	300
28019	10	51590	200
28020	10	51591	200
28021	10	51592	500
28022	10	51593	150
28023	10	51594	8
28024	10	51652	2

together with any and all declared and unpaid dividends thereon, and the right to receive dividends represented by outstanding checks and all liquidating dividends declared after the aforesaid company entered upon liquidation, including particularly the First, Second and Final Liquidation Distributions,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of A. Zickermann, deceased, the aforesaid nationals of a designated enemy country (Germany)

9. That the property described as follows: Two hundred (200) shares of capital stock of the Oriental Consolidated Mining Company, now in Liquidation, c/o City Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, evidenced by certificates registered in the name of Estate of Ahfai, Mr. Shlukiu, Executor, said certificates numbered and in the amounts shown below:

Certificate No..	Amount	Certificate No..	Amount
1587	50	1589	50
1588	50	1590	50

together with any and all declared and unpaid dividends thereon, and the right to receive dividends represented by outstanding checks and all liquidating dividends declared after the aforesaid company entered upon liquidation, including particularly the First, Second and Final Liquidation Distributions,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Ahfai, deceased, the aforesaid nationals of a designated enemy country (Japan)

10. That the property described as follows: That certain debt or other obligation of the Oriental Consolidated Mining Company, now in Liquidation, c/o City

Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, in the amount of $300.00, as of December 31, 1945, evidenced by outstanding dividend checks, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Dr. E. Baelz, deceased, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

11. That to the extent that the persons referred to in subparagraphs 1, 2, 3 and 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

12. That to the extent that the persons referred to in subparagraph 5 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-348; Filed, Jan. 12, 1948; 8:45 a. m.]

[Vesting Order 10346]

KATHERINE P. SCHISLER

In re: Estate of Katherine P. Schisler. File No. D-28-7526. E. T. sec. 7751.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

(1) That Anna Eliza Rosenstock, Anna Grzeca, Else Graf, Otto Huth, Karl Huth, Marie Welb and Otto Rosenstock, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

(2) That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Anna Eliza Rosenstock, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

(3) That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Katherine P. Schisler, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

(4) That such property is in the process of administration by Andrew D. Schisler, Jr., Administrator, acting under the judicial supervision of the Probate Court of Erie County, State of Ohio;

and it is hereby determined:

(5) That to the extent that the persons identified in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Anna Eliza Rosenstock, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-349; Filed, Jan. 12, 1948; 8:45 a. m.]

[Vesting Order 10243]

THOMAS SMIDT

In re: Trust u/d of Thomas Smidt, dated May 17, 1932. File D-28-7713-G-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Albrecht Von Estorff, Hans Von Estorff and Otto Von Estorff, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Albrecht Von Estorff; issue, names unknown, of Hans Von Estorff; and issue, names unknown, of Otto Von Estorff, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated May 17, 1932, by and between Thomas Smidt, as settlor, and Rudolph Pagenstecher, as personal trustee, and the Central Hanover Bank & Trust Company, New York, New York, as corporate trustee, and in and to all property held under said trust agreement is property within the United States, payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by Fritz Eghard Von Estorff, as successor personal trustee, and the said Central Hanover Bank & Trust Company, as corporate trustee, under the judicial supervision of the Supreme Court, New York County, State of New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-381; Filed, Jan. 13, 1948; 8:47 a. m.]